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**ALLOWING ACCESS TO THE SELECTED RESERVE  
FOR DOMESTIC DISASTER RELIEF OPERATIONS**

**BY**

DTIC QUALITY INSURANCE 2

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USAWC STRATEGY RESEARCH PROJECT

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## ABSTRACT

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TITLE: Allowing Access to the Selected Reserve for Domestic Disaster Relief Operations

FORMAT: Strategy Research Paper

DATE: 7 April 1997      PAGES: 33      CLASSIFICATION: Unclassified

When major natural disasters strike the United States, the nation's active military forces are frequently called upon to augment the relief efforts of the affected states' National Guard units. Currently, Title 10, United States Code, prohibits the President from ordering the activation of Selected Reserve units or personnel for participation in domestic disaster relief operations. Reductions in the overall active strength, along with changes in the force structure of active forces and Reserve Components, increase the potential that the types of active forces most needed in domestic disaster relief may not be available when a major disaster strikes. This study analyzes the advantages and disadvantages of enabling the President to access the Selected Reserves for participation in domestic disaster relief operations. The study concludes that the best course of action for the Secretary of Defense is to recommend that the President pursue legislation to amend Title 10 to permit involuntary activation of Selected Reserve units and individuals under a Presidential Selected Reserve Call-up for domestic disaster relief operations.



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Every year, regions of the United States are struck by devastating natural disasters. These natural disasters, whether hurricanes, earthquakes, floods, or forest fires, can inflict incredible destruction on our cities, towns, and rural areas. When these disasters strike, the citizens of the devastated areas require rapid and substantive relief efforts for basic survival and recovery. Normally this relief is provided through state and local agencies, along with non-governmental organizations, such as the American Red Cross.

Frequently, however, the scope of the disaster and the extent of the damage are such that the required relief effort overtaxes the assets and resources state and local agencies can provide. This is particularly true when a natural disaster covers a wide region in a state. In these cases, the federal government has the obligation to provide augmentation to the state and local relief efforts, most importantly during the first critical days after a disaster strikes. The Department of Defense is frequently a key contributor to these efforts

In keeping with this obligation to provide relief in cases of domestic disaster, one of the tasks of U.S. military forces, as stated in the 1995 National Military Strategy, is "to participate in...disaster relief operations at home..."<sup>1</sup> Examples of this type of military support were the extensive relief efforts provided by U.S. military forces after Hurricane Andrew hit Florida and Louisiana in 1992, Hurricane Iniki devastated the Hawaiian island of Kauai in 1992<sup>2</sup>, and the Northridge earthquake struck Southern California in 1994.<sup>3</sup> After each of these major disasters, the assistance provided by active duty military forces was critical to restoring normalcy to the lives of the citizens of the stricken areas. History tells us that there should be no expectation that the future will see the U.S. any less susceptible to major natural disasters.

Unfortunately, the current legal restriction against the use of Selected Reserve units and personnel in domestic disaster relief operations limits the ability of the U.S. military to effectively respond to major natural disasters today and in the future. The active duty U.S. military of 1997 is not of the same size or structure as the force that responded to Hurricanes Andrew and Iniki in 1992. It is significantly smaller and many of the types of units most commonly used in disaster relief have been transferred to the reserve components. Therefore, fewer of the types of forces normally required are available to provide support to disaster relief operations. With fewer active forces available and an increased operations tempo, the military will have an increasingly difficult challenge in responding to domestic disasters under current restrictions.

This paper will recommend changes to existing U.S. Codes that will improve the ability of the U.S. military to respond to domestic natural disasters. In presenting justification for the recommended changes, the current procedures for initiating military support for disaster relief will be outlined, along with pertinent laws and regulations. Next, the impact of changes in military force structure and size on the ability of the Department of Defense to provide this support will be examined. Finally, the need to change current legislation to allow access to the Selected Reserve for domestic disaster relief will be explained. This legislative change is necessary to ensure the President and the Secretary of Defense continue to have access to the right types of military forces to cope with future natural disasters.

## Military Support to Domestic Disaster Relief

**State Resources Frequently Overwhelmed.** When natural disasters strike communities and regions of the United States, the first line of defense is provided by the state and local government agencies and resources. The governors of each state have at their disposal a number of agencies to provide essential services and relief assistance to a stricken region. These include both the Army and Air National Guards of the state, along with state police forces and state emergency agencies.

The Army and Air National Guard can be mobilized by the state governor for use within the home state to provide essential disaster relief. In the case of Hurricane Andrew in 1992, the National Guard units provided the following types of support to the communities of Florida and Louisiana: security, medical treatment, debris clearing, supply transportation, food and water distribution, and temporary shelter construction.<sup>4</sup> The state governor can, under mutual support agreements with neighboring governors, direct the use of state National Guard units and personnel to support disaster relief operations in a neighboring state.<sup>5</sup> National Guard units activated by the state governor for disaster relief normally remain under the state governor's control.<sup>6</sup>

**Federal Response Plan.** If the extent of the damage or destruction in a state requires relief efforts that exceed the capabilities of the state's National Guard and other state agencies, the governor of the state can request federal assistance from the President under the Stafford Act.<sup>7</sup> This act authorizes the President, upon his declaration that the stricken region is a "major

disaster,” to provide a number of types of federal assistance. This federal assistance, when approved, can come from 28 different federal agencies, to include the Department of Defense. The Federal Emergency Management Agency, as the lead agency for disaster relief, coordinates all federal assistance and support through procedures delineated in the Federal Response Plan.<sup>8</sup>

The Federal Response Plan categorizes the support required by the states into the following twelve Emergency Support Functions<sup>9</sup>:

- |                                 |                                |
|---------------------------------|--------------------------------|
| 1. Transportation               | 2. Communications              |
| 3. Public Works and Engineering | 4. Firefighting                |
| 5. Information and Planning     | 6. Mass Care                   |
| 7. Resource Support             | 8. Health and Medical Services |
| 9. Urban Search and Rescue      | 10. Hazardous Materials        |
| 11. Food                        | 12. Energy                     |

For each of these Emergency Support Functions, the Federal Response Plan assigns a single federal agency as the Primary Federal Agent to provide coordination for that particular type of support.<sup>10</sup> While the Department of Defense is only assigned as the Primary Federal Agent for the Emergency Support Function of Public Works and Engineering, it is assigned as a Supporting Federal Agent for all of the other eleven Emergency Support Functions. Therefore, the Department of Defense can be called upon to provide a significant portion of the total federal support in each.<sup>11</sup>

**Department of Defense Support.** The President of the United States can direct the employment of active U.S. military forces to provide disaster relief to states and territories of the United States if he has declared the region a “major disaster” area under the Stafford Act.<sup>12</sup> U.S.

active military units have been used on many occasions and in many locations throughout the United States to provide such relief. Whether fighting forest fires in the Pacific northwest states or building levees in the flood-swept midwest states, the active military forces have provided a vital augmentation to the state National Guard units and the state and local agencies.

The Secretary of the Army has been designated by the Secretary of Defense as the Executive Agent to coordinate domestic disaster relief provided by the Department of Defense.<sup>13</sup> Department of Defense Directive 3025.1-M, "Manual for Civil Emergencies," assigns the Commander in Chief of U.S. Atlantic Command as the Department of Defense Principal Planning Agent and Operating Agent for Military Support to Civil Authorities for the 48 contiguous states, the District of Columbia, Puerto Rico, and the Virgin Islands. The "Manual for Civil Emergencies" also assigns the Commander in Chief of U.S. Pacific Command similar responsibilities for Hawaii, Alaska, and U.S. territories in the Pacific Ocean.<sup>14</sup> When the Federal Emergency Management Agency determines that a request for domestic disaster relief from a state can best be filled by the Department of Defense, the request for support is sent to the Director of Military Support in the Department of the Army.<sup>15</sup> If the Director of Military Support determines the support request is appropriate, the request is sent to either the Commander in Chief of Atlantic Command or Pacific Command. When tasked by the Director of Military Support, the respective Commanders in Chief then direct their subordinate Service component commands to provide the active military forces to execute the requested support.<sup>16</sup>

The primary reason military forces of the Department of Defense play such a crucial role in the federal government's response to major natural disaster relief efforts lies in the military's unique ability to provide rapid logistics support on short notice. The basic food, water,

transportation, medical, engineering, and aviation support that the U.S. military forces are trained to provide are exactly what is most often required during the first days after a disaster when the state and local agencies are incapable of meeting the demands. As the President stated in the 1995 National Military Strategy, often the military's "greatest contribution...resides in our ability to rapidly respond when more traditional relief agencies are overwhelmed."<sup>17</sup>

The ability of the U.S. military to rapidly respond to major disasters has also been recognized by Congress, which highlighted the pivotal role of the U.S. military forces that provided crucial assistance after Hurricane Andrew devastated Florida in 1992:

Although the relief effort required the cooperative effort of many federal, state, and local entities, only the Department of Defense had the equipment and personnel to provide the logistics and infrastructure necessary for the timely provision of essential food, shelter, medical, sanitation, and communications services for a disaster of this magnitude.<sup>18</sup>

**Restrictions on Activation of Selected Reserve.** While the governors can mobilize their state National Guard units for disaster relief and the President can direct employment of active military forces to support disaster relief efforts in the United States, the President is restricted from activating Selected Reserve units and personnel under a Presidential Selected Reserve Call-up (PSRC) to provide domestic disaster relief. A PSRC allows the President to order units of the Selected Reserve of each of the Services to active duty for a period of up to 270 days, up to a total of 200,000 personnel, without going to Congress with a declaration of a "national emergency."<sup>19</sup> The restriction on use of Selected Reserve for domestic disaster relief under a PSRC is contained in Section 673b of Title 10 (Armed Forces) of the United States Code, which reads:

No unit or member of a reserve component may be ordered to active duty under this section to perform any of the functions authorized by chapter 15 or section

3500 or 8500 of this title, or to provide assistance to either the Federal Government or a State in time of a serious natural or manmade disaster, accident, or catastrophe.<sup>20</sup>

Individual members of the Selected Reserve are allowed to volunteer to come on active duty to serve in a domestic disaster relief operation, but entire Selected Reserve units are not allowed to "volunteer" for such duty.<sup>21</sup> When individual members of Selected Reserve units do volunteer for active duty, they are not covered by the reemployment rights guaranteed in the 1994 Uniformed Services Employment-Reemployment Rights Act, as they would be if they had been involuntarily activated.<sup>22</sup>

With the laws as currently written, the President can only order the activation of Selected Reserve units for domestic disaster relief operations if he goes before Congress to declare a "national emergency," and subsequently orders a partial or full mobilization of the reserve components.<sup>23</sup> This could be the case if a natural disaster occurred while the bulk of the U.S. active military forces were deployed outside the United States in a Major Theater War, or if a natural disaster threatened the security of the United States. The latter case could possibly occur if some disaster posed an immediate danger to a nuclear power plant, with the potential of large scale nuclear contamination of a multiple state area.<sup>24</sup> However, the probability of such a crisis situation is slight and it is not expected that the President would go to Congress to declare a "national emergency" in any but the most extreme cases of natural disaster.

**Types of Military Forces Most Needed in Domestic Disaster Relief.** The type of support requested from the military varies with the type of disaster and the extent of the destruction caused by the disaster. The requests can range from a requirement for a field hospital for medical care, to engineer support for potable drinking water, to a disciplined work force to

fight forest fires or fill sandbags. In most cases of domestic disaster requiring U.S. military support, requests for support have included specialized units for specialized functions, such as those performed by Combat Support (CS) and Combat Service Support (CSS) units in each of the Services. The support functions requested by the states are generally best provided by CS and CSS units, such as engineering, airlift, helicopter support, transportation, communications, medical support, food service, civil affairs support, public affairs support, and military police support.<sup>25</sup>

### Military Downsizing and Operational Tempo

Recent history shows that the U.S. military has been able to respond rapidly and effectively to major natural disasters in the past, with an acceptable cost in terms of impact on active force readiness. The active forces have had sufficient numbers of the types of specialty units that were required to augment the National Guard units in the states struck by disasters. However, the impact of a number of changes which have occurred over the past 5 years have significantly decreased the ability of the active military to meet similar major disaster relief requirements in the future, without incurring serious degradation in the readiness of active military units.

**Downsizing.** The first of these changes is the overall downsizing of the active military end-strength of each of the four Services. From 1992 to 1997, the combined active military end-strength for the four military Services dropped from 1,808,100 to 1,456,100, a reduction of nearly 20 percent. The reduction in the active Army end-strength, which went from 611,300 in

1992 to 495,000 in 1997,<sup>26</sup> was particularly significant in light of the fact that the Army provides the majority of U.S. active military forces which participate in domestic disaster relief operations each year. During the same period, the Army National Guard was reduced in strength by nearly 60,000, shrinking from 426,500 to 366,800.<sup>27</sup>

As the number of total active military and National Guard forces has decreased, the potential for the remaining active forces to be used more frequently in domestic disaster relief operations has increased. This increases the potential that more active military units will have their readiness degraded by participation in these operations. This is particularly the case if a disaster occurs when active units are scheduled to undergo key training events that cannot easily be rescheduled.

**Military Operations Other Than War and Operational Tempo.** The decreased number of active military forces available today has even more impact when viewed with the current operational tempo of today's military forces in mind, particularly. This operational tempo has been particularly high due to the large number of Military Operations Other Than War (MOOTW). As an example, the Army has seen an increase of 300 percent in operational deployments since 1989.<sup>28</sup> With the exception of the 1990 response to Iraq's aggression, these have largely been for MOOTW. While there is no guarantee that the national leadership will continue to involve U.S. forces in these types of operations at a similar pace in the future, there is equally no reason to believe that the operational tempo will be reduced. This all adds up to an increased potential that a large number of active military forces may be engaged outside the United States at the time of some future major natural disaster. This would further reduce the

number of active military units to choose from in determining which forces are most available to commit to disaster relief operations.

### Military Force Structure Changes

**Combat Support and Combat Service Support from Active to Reserve.** A second factor which links directly to the reduction in overall numbers of the active military force is the shift of the majority of the CS and CSS forces from the active military force structure to the reserve component force structure. This shift has been most dramatic in the Army. Beginning in 1993, as a result of the Bottom-Up Review, the Army transferred all but 44 percent of the CS and all but 37 percent of the CSS units to the Army's two reserve components, the Army National Guard and the Army Reserve.<sup>29</sup>

The initial effect of this transfer did not significantly affect the ability of the Total Army to provide needed CS and CSS units to domestic disaster relief operations because a significant percentage of these units were still available to the state governors through the Army National Guard. However, the Army again made force structure changes in 1993, as a result of the Restructuring Agreement, which shifted more of the CS and CSS forces from the Army National Guard to the Army Reserve.<sup>30</sup> As a result of these shifts in force structure, there are significantly fewer CS and CSS units available that can be employed in response to major domestic natural disasters.

A third factor which aggravates the problem of reduced numbers of CS and CSS units in the active military force is that these are the types of active units that are frequently deployed

outside the United States for MOOTW, particularly humanitarian relief operations. Therefore the likelihood increases that a significant percentage of the reduced total number of active force CS and CSS units may be deployed outside the United States when a domestic natural disaster strikes. Even if these active CS and CSS units are not deployed, there is an increased likelihood that the units will have recently returned from such a deployment. If the units are subsequently deployed for a domestic natural disaster, the impact on the combat readiness of these units may be degraded to an unacceptable level due to the effect of the high operational tempo on training and troop morale.

Lastly, the reduced number of CS and CSS units in the active military forces, again particularly in the Army, could put the President in a dilemma in the event that increased tensions in some key area of the world increase the likelihood of a potential Major Theater War. The President would have to consider all measures to increase combat readiness of early deploying forces. He would in all likelihood be reluctant to commit any of the limited numbers of active force CS and CSS units to a major domestic natural disaster. If these forces are committed to such a disaster relief operation, their ability to rapidly deploy to the Major Theater War would be degraded. On the other hand, the effect on the U.S. citizens and communities suffering from the disaster could be significant if sufficient disaster relief is not provided.

**Volunteers from Selected Reserve.** As previously mentioned, the current laws allow individual members of Selected Reserve units to volunteer to come on active duty for service in domestic disaster relief operations, but entire Selected Reserve units are not permitted to "volunteer" for activation. In many of the major natural disasters of the last few years, the number of Selected Reservists who volunteered for activation to support domestic disaster relief

has been helpful in filling the requirement for some of the essential CS and CSS functions. As an example, after Hurricane Andrew in 1992, more than 600 U.S. Army Reserve soldiers volunteered individually for active duty and participated in the relief operations.<sup>31</sup>

The fact that these Selected Reserve volunteers have been forthcoming has been important to past successes, but it is speculation to rely on sufficient volunteers in future domestic disasters. One factor that mitigates placing too much confidence in filling the CS and CSS requirements with Selected Reserve volunteers is the lack of reemployment protection under the law, as was previously mentioned. Unfortunately, if the numbers of volunteer Selected Reservists are not adequate, the quality of the relief provided to the citizens and communities may suffer. As stated in the Manual for Civil Emergencies, "There are a number of highly specialized and unique skills and talents found in the Selected Reserves that are critical to effective disaster relief."<sup>32</sup>

**Potential Impact of the Quadrennial Defense Review.** While there is already reason for concern about the numbers of active military CS and CSS forces available in the event of competing demands of domestic natural disasters relief, overseas MOOTW, and readiness for potential Major Theater Wars, there is scant prospect for any increase in numbers of forces. In fact, there are indications that the current Quadrennial Defense Review, together with the following National Defense Panel, could lay the groundwork for further reductions in the size of the active military force. Secretary of Defense Richard Cohen has recently stated that he anticipates significant reductions in future Department of Defense budgets, possibly as high as \$20 billion, which could possibly require active manpower reductions of as many as two Army divisions.<sup>33</sup> If these types of reductions to the active force are made, they will further reduce the

capability of the military to meet requirements for domestic disaster relief with only active forces.

### Access to Selected Reserve

**Title 10 Restrictions Outdated.** The Title 10 restriction on the use of Selected Reserve units for domestic disaster relief in any case less than a national emergency was enacted at a time when the active military force was nearly one and one half times as large as it is today and prior to the transfer of the majority of CS and CSS units from the active Army.<sup>34</sup> The rationale for the restriction was more legitimate at the time, in that Congress desired to ensure that the National Guard was the first source of military disaster relief, and that the President deployed only active military forces when additional resources were required.<sup>35</sup> But the current situation, as described in the previous sections, gives substantial justification for a change to the existing legislation. Access to the Selected Reserve for domestic disaster relief operations is necessary in order to ensure that the President has the required flexibility to provide necessary assistance to the American public after natural disasters, while at the same time ensuring that the security of the nation is safeguarded.

In making this recommendation, the “force of first choice” for federal support to domestic disaster relief operations must always remain the active military units. This is the foundation for the structure of our Total Force: a capable and ready active force, augmented in times of national necessity with an equally capable and ready combination of National Guard and Service Reserves. Therefore, the choice to use Selected Reserve forces for domestic disaster relief must only be made after carefully weighing the impact of the current situation on the readiness of the

active military forces of the nation, against the potential negative impact of overuse of the Selected Reserve forces.

**Advantages of Allowing Access to Selected Reserve.** If the current restriction on the use of Selected Reserve units for domestic disaster relief operations under PSRC was removed by Congress, numerous advantages would be realized. First, the timeliness of the military response to the request for domestic disaster relief could be enhanced. This is because Selected Reserve CS and CSS units, located in states throughout the nation, would frequently be closer to the scene of the disaster than many of the active military units stationed at a relatively small number of bases. This could reduce both travel time and travel costs. For example, a state may require military relief support in the form of engineer units after an earthquake. A Selected Reserve engineer unit in that state, or a nearby state, may be able to move to the disaster area more quickly, and for less expense, than an active military engineer unit from the nearest active base several states away.

A second advantage of access to the Selected Reserve for domestic disaster relief would come from the potential relief of high operational tempo of active military units. This would be most beneficial in cases where active CS or CSS units have recently been engaged in deployments outside the United States for MOOTW or for Major Theater War, and deploying those active units to a domestic disaster operation would exacerbate an already high operational tempo.

The third advantage of Selected Reserve accessibility for domestic disaster relief is that it would lessen the potential that the readiness of active forces would be degraded during a future period when the potential for a Major Theater War may be high. By having the ability to order

the activation of Selected Reserve units to respond to a major domestic natural disaster, the President would be able to keep early deploying active forces at a peak readiness level.

A fourth factor that bears on the issue concerns reemployment rights for Reservists. If the President is allowed access to Selected Reserve units for domestic disaster relief under PSRC, those Reservists activated would be guaranteed reemployment rights under the Uniformed Services Employment-Reemployment Rights Act of 1994. As stated previously, individual members of the Selected Reserve who volunteer for domestic disaster relief operations are not guaranteed reemployment rights under this law.

**Disadvantages of Allowing Access to Selected Reserve.** The benefits of allowing the President access to Selected Reserve units under PSRC for domestic disaster relief do not come without some costs or disadvantages. One of the disadvantages is the potential negative impact on the readiness of the Selected Reserve units if they are activated for domestic disaster relief. Just as short notice deployments disrupt the training schedules for active forces, Selected Reserve units activated for a disaster relief operation could be forced to cancel important training events scheduled for their monthly drill periods. Rescheduling these training events could be even more of a challenge for the Selected Reserve units than for active units because of the limited number of training days authorized annually.

The second disadvantage of increased access to Selected Reserve units is the potential negative impact on Selected Reserve recruitment and retention. It is generally believed that most individuals join the Reserves of any Service with the expectation that they will only be activated in times of national emergency when the United States has a significant need for their active service. There is a danger that Selected Reservists may be unwilling to accept the potentially

increased frequency of their activation for domestic natural disasters. This could cause a drop in both Selected Reserve recruitment and retention of trained personnel, each of which would be to the detriment of Selected Reserve readiness.

**Advantages Outweigh Disadvantages.** While these potential disadvantages certainly cannot be ignored, several factors must be considered that mitigate their impact. First, the Department of Defense generally plans on military forces deploying to a disaster area for only the minimum period necessary to stabilize the situation and provide initial relief. As quickly as possible, the relief operations will be turned over to other federal, state, local agencies or nonprofit relief organizations.<sup>36</sup> If the Department of Defense prudently manages the length of deployments of Selected Reserve units, limiting them to no longer than 30 days, for example, the impact on missed monthly training periods could be kept to a manageable level.

In addition, the Department of Defense would have to ensure that Selected Reserves are only activated for domestic disaster relief operations when their use is truly necessary to offset critical active force readiness requirements. The members of the Selected Reserve units, and their families and employers, must remain convinced that the President is not “going to the well too often” and that their activation supports a vital national interest. This will require sound judgment on the part of the leadership of the military Services and the Secretary of Defense, as well as open communications with the American public to clearly state the need for Selected Reserve activation in certain situations.

In the final analysis of advantages of disadvantages of this recommendation, it is a choice between maximizing the readiness of either the active or the Selected Reserve forces. The smart decision on force selection for domestic disaster relief would be to take measures to minimize the

negative impact on active force readiness for combat, while taking acceptable levels of risk for a potential degradation in Selected Reserve readiness. This would require close scrutiny of the planned employment of both the active and Selected Reserve units in existing Operations Plans for Major Theater Wars. The leadership of the military Services and the Secretary of Defense will undoubtedly face difficult decisions in this area, but the President must be given the flexibility to use the Selected Reserves when the situation dictates.

**Previous Recommendations and Support for Amending Title 10.** The proposal to change Title 10 to allow access to Selected Reserves for domestic disaster relief under PSRC has been recommended on a number of occasions in the past 5 years. For example, in the after-action reports of the military relief efforts for Hurricane Andrew in 1992, the Commander in Chief of U.S. Forces Command recommended that the President should be given statutory authority to order Selected Reservists to active duty for disaster response.<sup>37</sup> This recommendation is significant because U.S. Forces Command is responsible for coordinating and directing all Army support provided to federal disaster relief efforts conducted by the Commander in Chief, U.S. Atlantic Command, in the 48 states and the Caribbean territories.

Similarly, the General Accounting Office, in its July 1993 report titled "Disaster Management: Improving the Nation's Response to Catastrophic Disasters," recommended removal of "statutory restrictions on DoD's authority to activate Reserve units for catastrophic disaster relief." The report also stated that the ability to use the Selected Reserve would lessen the impact of using the active military forces for disaster relief on its primary mission of defense of national security.<sup>38</sup>

**Recommendation for Secretary of Defense.** Title 10 should be changed in order to ensure that the Department of Defense has the capability to adequately and rapidly respond to domestic natural disasters without unnecessarily degrading the combat readiness of the military forces to respond to threats against the national security. To that end, the Secretary of Defense should recommend that the President ask Congress to initiate legislation to amend Section 673b of Title 10 to allow activation of Selected Reserve units under PSRC for domestic disaster relief operations.

After this legislation is passed and Title 10 amended, the Department of Defense should also make changes to DoD Directive 3025.1, "Military Support to Civil Authorities." These changes should give guidance to the Service Chiefs and the Commanders in Chief of the U.S. Atlantic and Pacific Commands on specific situations when activation of Selected Reserve units should be considered for domestic disaster relief. The guidance should require the Services to show a compelling need to request Selected Reserve activation, such as degradation of active component readiness from repeated deployments, or rising tensions dictating a need to maintain active forces in the highest readiness posture possible. The Service Chiefs should be tasked to consider the impact on the readiness of the Selected Reserve units, as well, and to take all measures possible to minimize the length of the deployment, the potential for canceled training periods, and the frequency of deployments of any specific Selected Reserve unit.

## Conclusion

Just as major natural disasters have struck communities and states in the United States throughout our history, many more of nature's catastrophes are sure to wreak havoc, destruction, and suffering on parts of this country in the years to come. The U.S. military has a proven record of providing rapid and substantial relief to the American public when the scope of the disaster has overwhelmed the state and local governments.

But the ability of the active military force to continue its record of providing timely support when states are in need may falter because of the changes to the size and structure of the armed forces and the current restriction on use of Selected Reserve units for domestic disaster relief. It is now a much greater challenge for the active military to maintain high levels of readiness for defense of national security objectives while at the same time providing immediate response to state and local governments struck by disasters. The challenge could become even greater if the outcome of the Quadrennial Defense Review and the National Defense Panel lead to further reductions in the authorized end-strength of the active military force.

For these reasons, amending Title 10 to remove the restrictions on use of Selected Reserve units for domestic disaster relief operations under PSRC would make a significant improvement in the ability of the Department of Defense and the military Services to meet the nation's security needs. It would greatly reduce the risk that America's citizens might not receive the vital support they need in the event of a major natural disaster. At the same time, it would enable the nation's military leaders to maintain the readiness required to respond to threats to the national security of the United States



## ENDNOTES

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- <sup>3</sup> Togo D. West, Jr. and Gordon R. Sullivan, A Statement on the Posture of the United States Army, Fiscal Year 1996, Posture statement presented to the 104th Congress, 1st sess. (Washington: U.S. Department of the Army, 1995), 120.
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- <sup>5</sup> National Defense Research Institute, Assessing the State and Federal Missions of the National Guard, (Santa Monica, CA: RAND, 1995), 71.
- <sup>6</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M (Washington, D.C., 2 June 1994), 5-1.
- <sup>7</sup> The Robert T. Stafford Disaster Relief and Emergency Assistance Act, U.S. Code, vol. 42, sec. 5121 (1988).
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- <sup>9</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M, 10-10.
- <sup>10</sup> Ibid.
- <sup>11</sup> Ibid., 10-7.
- <sup>12</sup> The Robert T. Stafford Disaster Relief and Emergency Assistance Act, U.S. Code, vol. 42, sec. 5121 (1988).
- <sup>13</sup> Department of Defense, Military Support to Civil Authorities, DoD Directive 3025.1, (Washington, D.C., 15 January 1993), 3.
- <sup>14</sup> Ibid., 1-6.
- <sup>15</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M, 1-5.

<sup>16</sup> Ibid., 2-5.

<sup>17</sup> Department of Defense, National Military Strategy of the United States of America, 1995: A Strategy of Flexible and Selective Engagement, 9.

<sup>18</sup> Congress, House, The National Defense Authorizations Act for Fiscal Year 1993, H. Rept. 966, The Conf. Rept. to accompany H.R. 5006, 102d Congress, 2d Sess., 1 October 1992.

<sup>19</sup> Deborah Lee, "Assistant Secretary of Defense for Reserve Affairs: Posture Statement for FY96 Congressional Budget Hearings." Available from <<http://raweb.osd.mil/docs/lee-stmt.htm>>; accessed on 9 March 1996.

<sup>20</sup> Title 10, U.S. Code, sect. 673b (1956).

<sup>21</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M, 5-3.

<sup>22</sup> Strategic Studies Institute, U.S. Army War College, "Draft of Conference Report: Role of the Reserve and the National Guard in Disaster Management and Humanitarian Assistance Operations," Center for Excellence for Disaster Management and Humanitarian Assistance, 17-19 September 1996, Honolulu, HI, 27.

<sup>23</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M, 5-2.

<sup>24</sup> Ibid.

<sup>25</sup> Center for Army Lessons Learned, IX-1.

<sup>26</sup> William J. Perry, Annual Report to the President and the Congress, (Washington: U.S. Government Printing Office, March 1996), C-1.

<sup>27</sup> Ibid.

<sup>28</sup> Togo D. West, Jr. and Dennis J. Reimer, Meeting the Challenges of Today, Tomorrow, and the 21st Century, Posture statement presented to the 104th Congress, 2d sess. (Washington: U.S. Department of the Army, 1996). 3.

<sup>29</sup> William A. Navas, Jr., Army National Guard Fiscal Year 1997 Posture Statement, Posture Statement presented to the 104th Cong., 2d sess. (Washington: U.S. Department of the Army, 1996), 6.

<sup>30</sup> National Defense Research Institute, Assessing the State and Federal Missions of the National Guard, 15.

<sup>31</sup> Gordon R. Sullivan, "Hurricane Andrew: An After-Action Report." Army, January 1993, 18.

<sup>32</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M, 5-1.

<sup>33</sup> Rowan Scarborough, "Cohen Orders Pentagon Cutbacks," The Washington Times, 7 March, p.1.

<sup>34</sup> William J. Perry, Annual Report to the President and the Congress, C-1.

<sup>35</sup> Department of Defense, Manual for Civil Emergencies, DoD Manual 3025.1-M, 5-1.

<sup>36</sup> Ibid., 2-9.

<sup>37</sup> U.S. Forces Command, "Forces Command Hurricane Andrew Response After Action Report," 20 November 1992.

<sup>38</sup> General Accounting Office, Disaster Management: Improving the Nation's Response to Catastrophic Disasters, (Washington: U.S. General Accounting Office, July 1993), 8.



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